

## 11.SUMMARY

### Alternative Punishments to Unconditional Imprisonment

My thesis concerns with the alternative forms in criminal law which might be used as substitutes for unconditional prison sentence. We can define these alternative forms as specific procedures which are being applied alternatively instead of standard criminal proceedings and also as all forms which represent specific response to crime and are not associated with imprisonment.

The text focuses mostly on matters related to alternatives in Czech criminal substantive law, especially on alternative sanctions for adult offenders. It's main goal is to acquaint the reader with the idea and purpose of punishment, with the history and development of unconditional imprisonment and alternative sanctions, and to give reader an overview of alternative sanctions in our criminal law. It also reflects changes in the legal regulation (chiefly new sanctions – the house arrest and the restriction of going to the sport, cultural and other social actions) according to our new Criminal Code that became effective on January 1, 2010.

The thesis is composed of ten chapters. Chapter Two briefly characterises the term of punishment and fundamental purposes and reasons for punishment. All alternative sanctions and approaches result from the concept of restorative justice – that's why I devoted a separate chapter, the third one, to this concept. Chapter Four explicates the history of punishments and it also contains information about international organizations which have a great significance in promoting alternative sanctions. Chapter Five is divided into three parts and provides an outline of alternatives “in the criminal law” in Subchapter One and alternatives “to the criminal law” in Subchapter Two. Last Subchapter is dedicated to Probatory and Mediatory Service which highly contributes to effective realization of alternative punishments. Finally last two Chapters of my thesis deals with alternative sanctions. Chapter Six explains what the term “alternative sanction” means. It also describes different types of sanctions and the system of sanctions in the Czech Criminal Code. Chapter Seven concentrates on legal regulation of four alternative

punishments- suspended prison sentence, compulsory work, house arrest and restriction of going to the sport, cultural and other social actions.

I believe that alternative punishments and approaches represent opportunity how to deal with overcrowded prisons and growing expenses on prison system and they are suitable reaction on less dangerous criminal offences. These sanctions also aren't accompanied with so many negative consequences (such as interruption of social bonds, adaptation to prison culture etc.) as unconditional prison sentence. Principles of restorative justice, alternative forms and sanctions in criminal law represent big benefit for our society and the utmost number of states should support their wide assertion.

#### Klíčová slova

Alternativy nepodmíněného trestu odnětí svobody. Trest domácího vězení. Principy restorativní justice.

#### Keywords

Alternatives of unconditional prison sentence. House arrest. Concept of restorative justice.